

March 31, 1988

LB 38, 764, 1117A

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1117A pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Read record vote. See pages 1965-66 of the Legislative Journal.) 40 ayes, 2 nays, 3 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1117A passes. LB 38E.

ASSISTANT CLERK: (Read LB 38 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 38 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Read record vote. See pages 1966-67 of the Legislative Journal.) The vote is 39 ayes, 4 nays, 2 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 38E passes. LB 764E.

ASSISTANT CLERK: Mr. President, I have a motion on the desk. Senator Wesely would move to return LB 764 to Select File for specific amendment, that being to strike the enacting clause.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Mr. Speaker, members, not to get excited. I am not planning on pursuing this but I am deeply troubled by this bill, as I expressed on Select File. I want one more time to express to you institutional concern about what we are doing here. We have a situation, when we passed legislation last year to deal with the question on how we handle the energy money, we have set up a system by which the Governor's proposals come back to this Legislature for approval. We have some input. We denied a couple of those projects, and I thought the system worked fairly well. The administration didn't like that. They went to the Attorney General. The Attorney General ruled that they didn't like that, and, on the basis of that opinion, we are, basically, totally washing our hands of the ability to act on this measure. It is an institutional concern that I have. I respect the Attorney General and I respect that office. They